

IN THE CLAIMS

1-37. (cancelled)

38. (new) A device for attaching a fixation element to bone comprising:
a handle;

an elongated holding sleeve having proximal and distal ends defining a channel therebetween, the sleeve supported by the handle and movable from a distally extended position to a proximal position at least partially retracted into the handle, the distal end of the sleeve defining a tip configured to releaseably hold the fixation element; and

a driver shaft having a distal end defining a solid tip portion configured to abuttingly contact the fixation element, the shaft axially slideable inside the sleeve from a first position in which the tip portion is withdrawn from the distal end of the sleeve to a second position in which the tip portion projects beyond the distal end of the sleeve,

wherein the shaft is movable to the second position with a fixation element held in the sleeve to eject the fixation element from the sleeve.

39. (new) The device of claim 38, wherein the tip portion is blunt.

40. (new) The device of claim 38, further comprising a spring biasing the sleeve towards the distal position.

41. (new) The device of claim 40, further comprising a tubular cover attached to the handle and having an aperture therein through which the shaft extends, the spring disposed at least partially in the cover.

42. (new) The device of claim 38, wherein the sleeve includes resilient prongs releaseably attaching the sleeve to handle.

43. (new) The device of claim 42, wherein the handle includes a ridge at a distal end configured to engage the sleeve prongs.

44. (new) The device of claim 43, wherein at least a portion of the shaft adjacent the sleeve prongs has a diameter less than the sleeve to define an annular gap, wherein the gap allows the sleeve to be depressed radially inwards to disengage the prongs from the ridge for releasing the sleeve from handle.

45. (new) The device of claim 42, wherein the handle further comprises a tubular cover extending distally from the handle, the sleeve prongs releasably engaging the cover.

46. (new) The device of claim 38, wherein the proximal end of the sleeve includes a resilient member and the handle is configured to releasably engage the member.

47. (new) The device of claim 46, wherein the sleeve and shaft define an annular gap therebetween allowing the resilient member is movable in a radially inwards direction towards the gap to release the sleeve from the handle.

48. (new) The device of claim 38, further comprising a means for releaseably retaining the sleeve in the handle.

49. (new) The device of claim 38, wherein the fixation element is a surgical tack having a head and a shaft, the head being larger in diameter than the shaft.

50. (new) A device for attaching a fixation element to bone comprising:
a handle;

an elongated holding sleeve having proximal and distal ends defining a channel therebetween, the sleeve supported by the handle and movable in response to a proximally directed force on the sleeve from a first position distally extended from the handle to a second position at least partially retracted proximally into the handle, the distal end of the sleeve defining a tip configured to releaseably hold the fixation element;

a spring biasing the sleeve towards the first position; and

a driver shaft attached to the handle and axially slideable inside the sleeve, the shaft having a distal end defining a solid tip portion configured to abuttingly contact the fixation

element, the tip portion at least partially recessed inside the sleeve when the sleeve is in the second position;

wherein with a fixation element held in the sleeve, the tip portion of the shaft projects beyond the sleeve when the sleeve is moved from the first position to the second position to eject the fixation element from the sleeve.

51. (new) The device of claim 50, wherein the tip portion is blunt.

52. (new) The device of claim 50, wherein the proximal end of the sleeve includes a resilient portion releaseably coupling the sleeve to the handle.

53. (new) The device of claim 50, further comprising a tubular cover attached to the handle and having an aperture therein through which the shaft extends, the spring disposed at least partially in the cover.

54. (new) The device of claim 50, wherein the sleeve includes resilient prongs releaseably attaching the sleeve to handle.

55. (new) The device of claim 54, wherein the handle includes a ridge at a distal end configured to engage the sleeve prongs.

56. (new) The device of claim 55, wherein at least a portion of the shaft adjacent the sleeve prongs has a diameter less than the sleeve to define an annular gap, wherein the gap allows the sleeve to be depressed radially inwards to disengage the prongs from the ridge for releasing the sleeve from handle.

57. (new) The device of claim 38, wherein the fixation element is a surgical tack having a head and a shaft, the head being larger in diameter than the shaft.

58. (new) A device for attaching a fixation element to bone comprising:
a handle;

an elongated holding sleeve having proximal and distal ends defining a channel therebetween, the sleeve movable in response to a proximally directed force on the sleeve from a first distal position to a second proximal position at least partially retracted into the handle, the distal end of the sleeve defining a tip configured to releaseably hold the fixation element, the

proximal end of the sleeve having a resilient portion bendable in a radial direction to releaseably engage the handle; and

a driver shaft attached to the handle and axially slideable inside the sleeve from a proximal position to a distal position, the shaft having a distal end defining a solid tip portion configured to abuttingly contact the fixation element;

wherein with a fixation element held in the sleeve, the tip portion of the shaft projects beyond the sleeve when the shaft is moved to the distal position to contact and eject the fixation element from the sleeve.

59. (new) The device of claim 58, wherein the tip portion is blunt.

60. (new) The device of claim 58, wherein the resilient portion of the sleeve includes prongs.

61. (new) The device of claim 60, wherein the prongs are configured to engage an annular ridge defined by the handle that prevents axially removing the sleeve from the handle without radially bending the prongs.

62. (new) The device of claim 61, wherein the ridge is disposed in a distal end of a tubular member that extends distally from the handle.

63. (new) The device of claim 58, further comprising a spring biasing the sleeve towards the first position.

64. (new) The device of claim 60, further comprising an annular gap between the proximal end of the sleeve adjacent the prongs and the shaft, the prongs bendable radially inwards into the gap to disengage the sleeve from the handle.

65. (new) The device of claim 58, wherein the resilient portion of the sleeve includes prongs that are configured to engage an annular ridge in the handle that prevents axially removing the sleeve from the handle without radially bending the prongs.